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Kramer Lyons <klyons@ohdbslaw.com>

Sears Administrative Expense Consent Program

Kramer Lyons <klyons@ohdbslaw.com>

Wed, Dec 4, 2019 at 3:45 PM

To: Sears Ballot Invoices <searsballotinvoices@miiipartners.com>

Chris,

Please see the applicable responses from VM Innovations, Inc. marked in red. Please also see the applicable attachments to this email.

Ballot ID 182353801040869: VM Innovations, Inc.,

Include the following fields at a minimum (if applicable):

1. DUNS (unique identifier(s) with Sears, Kmart and their affiliates): **79-689-2524**
2. DBA name(s) (Doing Business As, if there is another name your company goes by): **Spreetail**
3. Invoice Number: **See attached Excel Spreadsheet (VM - Sears Payment Tracker) and PDFs. The Unpaid from Sears Tab and the Unpaid from M2 Tab show each individual transaction. The overview tab combines that data by EFT # and date.**
4. Purchase Order Number (if applicable): **N/A**
5. Invoice Date: **See attached Excel Sheet and PDFs**
6. Dates of Service the Invoice Covers (if applicable): **N/A**
7. Invoice Amount: **Please see Excel Sheet and PDFs**
8. Property Tax Notice (if applicable): **N/A**
9. 503(b)(9) "Y" or "N": (mark "Y" next to any invoices you believe are entitled to priority pursuant to section 503(b)(9) of the United States Bankruptcy Code): **Please see the VM - Sears Accounts Receivable sheet for summary.**
10. Administrative "Y" or "N" (Post-petition/Post-Bankruptcy): (mark "Y" next to any invoices you believe are post-petition/post-bankruptcy administrative invoices): **N/A**
11. Indicate whether you have previously filed a proof of claim for any amounts claimed in your Administrative Expense Consent Program Ballot. **Yes**
12. Indicate whether you have previously filed a motion seeking payment for any amounts claimed in your Administrative Expense Consent Program Ballot. **No**
13. List of payments received from Sears and its affiliates **90 days prior to the bankruptcy filing** on October 15, 2018 (for the period of July 15, 2018 through October 14, 2018): **Please see all attached documents for requested information.**
14. Other info that may be relevant to reconcile the ballot amount submitted:

The two PDFs attached hereto are documents provided by Katten in their investigation into the 90 preference payments. Contrary to the documents, the amount received by VMI during this period was \$1,040,940.36. The list of amounts provided double counted \$100,671.09 (the last "wire" listed on the supporting documentation provided by Katten). The \$100,671.09 is a duplicate of check numbers E24077, E24766, E25538, E26251, E26636, E27681 and E28371 already include in the list of amounts received by VMI.

Otherwise, those documents are accurate.

Please let me know if you have any questions.

Sincerely,

--

**O'NEILL
HEINRICH
DAMKROGER
BERGMEYER
SHULTZ** PC,LLC

Kramer Lyons Attorney

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NOTICE: If you have received this communication in error, please notify me by e-mail or by telephone.

4 attachments



VM - Sears Accounts Receivable.xlsx
19K



VM - Sears Payments Tracker.xlsx
331K



Sears Alleged Preference Payments(1).pdf
7412K



Sears Alleged Preference Payments(2).pdf
7142K